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Remarks

Reconsideration of the above-captioned application is respectfully requested. Claims 1-6 have been rejected as being anticipated by Powell, and Claims 7-16 have been rejected as being obvious over Powell in view of Narasimhan et al. To overcome the Examiner's rejections, independent Claim 1 has been amended to specify that the information stored on the removable memory device is related to user entertainment preferences, as disclosed on page 8, first full paragraph continuing through page 9, first full paragraph. Claim 2 has been amended to specify that the viewer programming selections are stored on the removable device. Claim 7 has been broadened to recite a TV system, and Claim 12 has been canceled. Claims 1-11 and 13-16 remain pending.

Rejections Under 35 U.S.C. §102

To support an anticipation rejection, every claim element must be taught or inherent in a single prior art reference, Manual of Patent Examining Procedure (MPEP) §2131. Powell does not teach downloading, onto a removable device, viewer entertainment preferences as now set forth in Claim 1, or recording programming selections as now set forth in Claim 2. Instead, in Powell a PC user downloads coupons onto a smart card, which can then be removed and used at a checkout station to pay for goods. Accordingly, the rejections under this section have been overcome.

Rejections Under 35 U.S.C. §103

Claims 7-16 have been rejected under 35 U.S.C. §103 as being unpatentable over Powell in view of Narasimhan et al., which, like Powell, is directed to coupons and has nothing to do with facilitating shopping

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at a kiosk using a removable memory device that bears information related to a TV viewer's programming preferences.

Consider first Claim 7, which requires "recording the channel associated with [a TV] channel signal". Nowhere is anything about recording a TV channel mentioned in either reference. The Office Action observes that Narasimhan et al., col. 1, lines 41-62 teaches that product information can be broadcast over cable TV for storage, which is true enough, but Claim 7 does not require "product information" (which is entirely unrelated to viewing preferences) to be stored. Instead, Claim 7 requires recording the channel itself, so that the underlying televised content can be looked up and used to determine viewing preferences and, hence, to better tailor offered products to a particular user.

Next consider Claim 13, which requires recording viewer selections of channels on the memory device. As stated above, neither reference teaches or suggests anything other than storing coupon-product information. Indeed, this limitation of Claim 13 has not been addressed or mentioned in the rejection, and small wonder, given that the references, even if combined as proposed, fail to arrive at Claim 13.

In addition, the requisite prior art motivation to combine the references as proposed is missing. Consider that the proffered suggestion to combine - to "enable the viewer to receive promotions from different sources" - makes no sense because the user of Powell already can access millions of Web sites, including those owned by TV stations, to obtain the coupons. There is no need for Powell to also access TV signals. More importantly, neither reference has been cited in support of the proffered suggestion to combine, in that no citation has been made to either reference suggesting that in addition to millions of Web sites a user also requires TV content to obtain coupons. Accordingly, the rejections are overcome.

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The Examiner is cordially invited to telephone the undersigned at (619) 338-8075 for any reason which would advance the instant application to allowance.

Respectfully submitted,



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